

Remarks

In the Office Action dated September 15, 2008, the Examiner rejected claims 1-8 and 10 under 35 U.S.C. § 102 as being anticipated by the U.S. Patent to Carroll 5,814,921. The Examiner rejected claims 1-3, 5-8 and 11 under 35 U.S.C. § 102 as being anticipated by the Lee, et al. article entitled "Novel Micro Vibration Energy Harvesting Device Using Frequency Up Conversion". The Examiner rejected claim 4 under 35 U.S.C. § 102 as being anticipated by or, in the alternative under 35 U.S.C. § 103, as being obvious over the Lee, et al. article. The Examiner rejected claims 4, 9 and 10 under 35 U.S.C. § 103 as being obvious over the Lee, et al. article and further in view of the U.S. published patent application in the name of Malkin, et al. 2004/0075363. The Examiner rejected claims 12-21 under 35 U.S.C. § 103 as being obvious over the Lee, et al. article and further in view of the U.S. published patent application in the name of Takeuchi 2002/0172060.

Initially, the Lee, et al. article does not appear to be legitimate prior art since it has a date of June 2007. This application claims the benefit of U.S. Provisional Application Serial No. 60/537,821 filed January 21, 2004. Consequently, the Examiner's rejections of claims 11-21 should be withdrawn.

Also, claim 1 has been amended to make it clear that the method requires the steps of providing micromechanical first and second resonator devices which resonate either in response to received vibrational energy or the resonating first resonator device, respectively. Also, the step of converting the vibrational energy to electrical power is performed electromagnetically. Clearly, none of the references of record taken either alone or in combination with one another teach, disclose or discuss the features of amended claim 1. For example, the cantilevered beams of piezoelectric material of Carroll clearly are not micromechanical resonator devices which convert vibrational energy to electrical power electromagnetically.

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Consequently, in view of the above and in the absence of better art, Applicants' Attorney respectfully submits the application is in condition for allowance which allowance is respectfully requested.

Please charge any fees or credit any overpayments as a result of the filing of this paper to our Deposit Account No. 02-3978.

Respectfully submitted,

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